X 37 C.F.R. §1.97(b).
37 C.F.R. §1.97(c). If so, then enclosed with this Information Disclosure Statement is <u>one</u> of the following:
A statement pursuant to 37 C.F.R. §1.97(e) or
A check for \$180.00 for the fee under 37 C.F.R. § 1.17(p).
37 C.F.R. §1.97(d). If so, then enclosed with this Information Disclosure Statement are the following:
(1) A statement pursuant to 37 C.F.R. §1.97(e); and
(2) A check for \$180.00 for the fee under 37 C.F.R. \$1.17(p) for submission of the Information Disclosure Statement.
If there are any additional charges, please charge Deposit Account No. 02-
2666.
Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Dated: 8/21/03 Jordan M. Becker Reg. No. 39,602
Customer No. 08791 12400 Wilshire Blvd. Seventh Floor Los Angeles, CA 90025-1026 (408) 720-8300
"Express Mail" mailing label number EV336585585US Date of Deposit August 21, 2003 I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 Julie Arango (Typed or printed name of person mailing paper or fee) (Signature of person mailing paper or fee)

Attorney Docket No.: 6599P011

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application for:

Ophir Rachman et al.

Serial No.: Not yet assigned

Filing Date: Herewith

For: METHOD AND APPARATUS FOR PACKAGING AND STREAMING

INSTALLATION SOFTWARE

Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 Examiner: Not yet assigned

Group Art Unit: Not yet assigned

Patent

INFORMATION DISCLOSURE STATEMENT

Sir:

Enclosed is a copy of Information Disclosure Citation Form PTO-1449 together with copies of the documents cited on that form. It is respectfully requested that the cited documents be considered and that the enclosed copy of Information Disclosure Citation Form PTO-1449 be initialed by the Examiner to indicate such consideration and a copy thereof returned to applicant(s).

Pursuant to 37 C.F.R. § 1.97, the submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made and is not to be construed as an admission that the information cited in this statement is material to patentability or constitutes prior art with respect to the present invention.

Pursuant to 37 C.F.R. § 1.97, this Information Disclosure Statement is being submitted under one of the following (as indicated by an "X" to the left of the appropriate paragraph):

Title 37, Code of Federal Regulations, Section 1.56 Duty to Disclose Information Material to Patentability.

- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information, which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability of any claim information known to be material to patentability of any claim information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
 - (1) Prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
 - (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
 - (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
 - (1) Each inventor named in the application;
 - (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.
- (e) In any continuation-in-part application, the duty under this section includes the duty to disclose to the Office all information known to the person to be material to patentability, as defined in paragraph (b) of this section, which became available between the filing date of

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if Known		
			CUDE	Application Number		
			SUKE	Filing Date		
			CANT	First Named Inventor	Ophir Rachman	
				Art Unit		
				Examiner Name		
Sheet	1	of	1	Attorney Docket Number	6599P011	

			U.S. PATE	ENT DOCUMENTS		
Examiner Initials*	Cite No.'	Number - Kind Code ² (if known) or Issu	Publication Date or Issue Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevan Figures Appear	
		US-6,311,221 B1	10-30-2001	Raz et al.		
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FOREIGN PATENT DOCUMENTS						
Examiner C	Cite	Foreign Patent Document			Pages, Columns, Lines,	Τ.
Initials*	No.¹	Country Code³ - Number⁴ - Kind Code⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Where Relevant Passages or Relevant Figures Appear	Τ°
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'Applicant's unique citation designation number (optional). 'See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 'Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 'For Japanese patent documents, the indication of the year of reign of the Emperor must precede the serial number of the patent document. 'Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 'Applicant is to place a check mark here if English language Translation is attached.

Based on PTO/SB/08A (08-03) as modified by Blakely, Solokoff, Taylor & Zafman (wlr) 08/11/2003.

^{*}Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.